

REMARKS

Claims 1-7, 9-29, and 32-45 are pending with claims 1, 16, 25, 40, and 43 being independent. Claims 8, 30, and 31 have been cancelled, claims 1-7, 9-14, 16-29, and 32-38 have been amended, and claims 40-45 have been added by this response. Reconsideration and allowance of Applicant's claims are respectfully requested.

Applicant thanks Examiner Winter for granting an interview, and Applicant's representative thanks Examiner Winter and Primary Examiner Hayes for the courtesy extended during the interview July 21, 2003. The following remarks are made in light of the interview and the amendments to the claims.

The disclosure was objected to for informalities in the number of the claims. Applicant acknowledges the renumbering of second identified claim 4 in the originally filed application as claim 39. The claims have been renumbered as indicated by the Examiner in the listing of claims in this response. Therefore, Applicant respectfully requests that the objection be withdrawn.

Claims 1-15 and claim 39 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-patentable subject matter. Applicant respectfully submits that this rejection has been rendered moot in light of the amendment to claim 1 as proposed by the Examiner in the interview of July 21st. In particular, claim recites a computer implemented method including access a memory to process information from the database to generate an estimate, and, therefore, the claimed invention is "within the technical arts." Therefore, it is respectfully requested that the rejection of claims 1-15 as non-statutory be reconsidered and withdrawn.

Claims 1-6, 16-23, 25-28, 32, 34, 35, 37, and 39 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,321,202 to Raveis Jr. ("Raveis"). This rejection has been rendered moot by the amendment of the claims; however, to the extent that this document has any relevance to the newly amended claims, the amended claims are discussed briefly below.

As discussed during the interview of July 21, 2003, Raveis describes a system for managing real estate transactions. The system includes a database for storing data relating to real estate transactions. In particular, the database stores information relating to a plurality of vendors. A real estate agent may access the vendor information associated with a particular phase of a real estate transaction of a specific customer and relate the information to the customer to promote cross selling of vendor services.

Applicant's claim 1 recites, among other things, a method for "determining an estimate for providing landscaping and property maintenance services . . . comprising: accessing a memory including information in a real estate database describing one or more real properties; determining the area of one of the one or more real properties; processing the determined area to generate an estimate of the cost of a landscaping or property maintenance service." It is respectfully submitted the Raveis does not describe or suggest at least these elements of Applicant's claim.

In marked contrast to Applicant's claimed invention, Raveis merely describes managing real estate transactions including storing contact information for buyers and sellers of real estate and potential vendors whose services may be needed by the buyers and sellers. For example, the screen shown in Fig. 7 of Raveis displays a screen 700 for information of a moving vendor. In the quote section 720 of the screen 700 there are

fields in which data relating to a particular customer may be entered by a user. These fields are entered by the user and stored in the database. For example, the quote screen includes fields to enter, store, and display an estimate for the cost of the move.

However, Raveis does not describe or suggest determining the area of a real property and processing the determined area to generate an estimate of the cost of a landscaping or property maintenance service. In fact, Raveis is silent with regard to landscaping and the system described in Raveis does not process data to generate an estimate (e.g., the system of Raveis only retrieves a stored estimate).

Like claim 1, claim 16 recites, among other things, “accessing a memory, by the server, including a real estate database to determine the area of a real property; processing the determined area to generate an estimate of the cost of the landscaping or property maintenance service to be provided.” In addition, claim 25 recites, among other things, “a processor to access the stored information and to process an area of one of the real properties to generate an estimate of cost for the landscaping or maintenance service using based on the area of the real property.” It is respectfully submitted the Raveis is silent with regard to at least these elements of Applicant’s claims 16 and 25 for at least the reasons explained above.

As Raveis does not teach each and every element of Applicant’s claims 1, 16, 25 , it is respectfully requested that the rejections of claims 1, 16, and 25 be reconsidered and withdrawn.

Claims 2-6, 9, 11, 14, 15, 17-32, 34, 35, and 37 depend from claims 1, 16, and 25, respectively, and are believed to be allowable for at least the reasons given for claims 1, 16, and 25 above.

Claims 7-10, 12, 13, 33, 36, and 38 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Raveis in view of U.S. Patent No. 6,216,108 to LeVander ("LeVander"). This rejection has been rendered moot in view of the amendment to Applicant's claims.

In particular, LeVander does not provide for any of the deficiencies of Raveis. As discussed during the interview of July 21st, LeVander describes a portable computer system to allow sales people and forepersons create contract at a job site in the field for execution by customers (so that the person does not have to return to an office to generate the contract) to avoid delay in contract execution. The database of LeVander includes a list of specific cost items that may be selected by the salesperson when visiting a job site. The sales person enters data into the portable computer system to create the contract. The system of LeVander also may automatically calculate a minimum labor rate that is applicable to the contract. In marked contrast, Applicant's method and system does not require a salesperson to visit or even see a job site.

Furthermore, as pointed out above with regard to Raveis, LeVander fails to determine an estimate for providing landscaping and property maintenance services by access a memory including in a real estate database describing a real properties to determine the area of a real properties, and processing the determined area to generate an estimate of the cost of a landscaping or property maintenance service for the real property.

Therefore, as Raveis and LeVander, either alone or in combination do not describe or suggest all elements of Applicant's claims, it is respectfully submitted that Raveis and LeVander do not support a *prima facie* case of obviousness with regard to

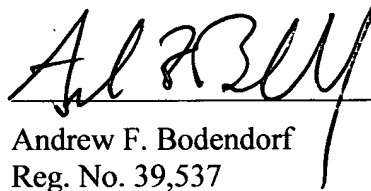
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Applicant's claimed invention. Therefore, it is respectfully requested that the rejection of claims 7-10, 12, 13, 33, 36, and 38 be reconsidered and withdrawn.

Application hereby requests a one month extension of time for response to the office action of April 29, 2003. A fee of 55 as required by 37 CFR § 1.17 accompanies this response.

It is respectfully submitted that the claims are in condition for allowance, and early notice of the same is respectfully solicited. If any questions remain, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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